



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,842	03/15/2004	Jerry L. Mattson	3163	1533

23618 7590 03/02/2005

CHASE LAW FIRM L.C
4400 COLLEGE BOULEVARD, SUITE 130
OVERLAND PARK, KS 66211

EXAMINER

OLSON, LARS A

ART UNIT	PAPER NUMBER
----------	--------------

3617

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,842

Applicant(s)

MATTSON, JERRY L.

Examiner

Lars A Olson

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03152004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 6-12 and 26-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Mattson (US 6,199,502).

Mattson discloses the same concrete module as claimed, as shown in Figures 1-8, that is comprised of a buoyant core, defined as Part #12, made from expanded polystyrene, said buoyant core being surrounded by a concrete shell, defined as Part #14, made from reinforced concrete and having a top, four sides and a bottom, as shown in Figure 2, at least one of said sides having a curved surface, as shown in Figures 2 and 3, such that vertical edges of said side can abut vertical edges of a side of an adjoining concrete module, a first pair of passages, defined as Part #42, for receiving a first pair of interconnecting members, defined as Part #52, as shown in Figure 6, through said concrete module in a first plane, defined as Part #22, said first plane being located below and parallel to an upper surface of said top, and a second pair of passages, defined as Part #44, for receiving a second pair of interconnecting members, defined as Part #52, as shown in Figure 6, through said concrete module in a second plane, defined as Part #26, where said second pair of passages are transverse

Art Unit: 3617

to said first pair of passages, said second plane is below and parallel to said first plane, and a plurality of concrete modules can be adapted to be interconnected in order to form a floating structure, as shown in Figure 4. Said buoyant core is further comprised of at least two notches, defined as Part #32, in a top surface for receiving reinforcing rods, defined as Part #34, and concrete in order to form reinforcing ribs, defined as Part #16, as described in lines 14-25 of column 8. A plurality of brackets with different shapes, defined as Part #56, as shown in Figures 6A and 7, is also provided to attach items and other structures to a floating structure made with said concrete modules, as shown in Figure 4.

Mattson also discloses the same mold for forming a concrete module as claimed, as described in lines 38-67 of column 11, and lines 1-63 of column 12, said mold being comprised of a bottom plate and four side plates, each of said side plates being secured along a lower edge of said bottom plate, and having two vertical edges and a vertical surface that is curved inwardly, where each vertical edge of a side plate abuts an adjacent vertical edge of an adjacent side plate in order to form an enclosure or box.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mattson.

Mattson further discloses a method of forming a concrete module, as described in lines 24-63 of column 12, that is comprised of the steps of placing a buoyant core into a mold, inserting core rods through apertures in said sides which are axially aligned with apertures in opposite sides of said mold and grooves in said buoyant core, adding concrete to said mold over and around said buoyant core, vibrating the sides of said mold, scraping concrete flush with the top edges of the sides of said mold in order to finish a bottom surface of a concrete module, removing said core rods after concrete has reached a semi-plastic condition, removing said concrete module from said mold, and placing said concrete module in position for use or storage after said concrete cures.

Mattson, as set forth above, discloses all of the features claimed except for the use of the method steps of cleaning interior surfaces of a mold, and oiling said interior surfaces with a concrete release coating.

The procedures of cleaning and oiling a mold with a release agent prior to use of said mold would be considered by one of ordinary skill in the art to be obvious steps to facilitate the molding of an object.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to utilize the steps of cleaning and oiling a mold for a concrete module in combination with the method for forming a concrete module as disclosed by Mattson for the purpose of providing a method that facilitates greater ease and efficiency in the molding of a concrete module.

5. Claims 2-5 and 13-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattson in view of Gardner (US 3,221,696).

Mattson, as set forth above, discloses all of the features claimed except for the use of one or more locking keys that extend from one or more sides of a concrete module, and one or more locking keyholes in one or more of sides of said concrete module that are vertically and horizontally aligned with locking keys of an adjoining concrete module.

Gardner discloses a mechanical coupling means for a multi-section floatable assembly, as shown in Figures 1-6, that is comprised of a plurality of pontoons, defined as Part #1, that are each fitted on all four sides with a pair of locking keys, defined as Part #25, that extend from each of said four sides, and a pair of locking keyholes, defined as Part #26, that are vertically and horizontally aligned with locking keys of an adjoining pontoon, as shown in Figure 1.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to utilize at least one locking key and at least one locking keyhole on each of four sides of a buoyant module, as taught by Gardner, in combination with the concrete module as disclosed by Mattson for the purpose of providing a means by which a concrete module may be interconnected with adjoining concrete modules in order to form an interlocking floating structure.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hill (US 5,129,347) discloses a modular floating platform that is comprised of a plurality of buoyant modules that are interconnected by means of a plurality of locking keys that fit into a plurality of locking keyholes disposed on each of four corners of each of said buoyant modules. Svirklys et al. (US 4,733,626) discloses a flotation system that is comprised of a plurality of buoyant modules that interlock with each other by means of a plurality of locking keys and locking keyholes that are disposed on the top and bottom surfaces of each of said buoyant modules.

7. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (703) 308-9807.

lo

February 24, 2005

LARS A. OLSON
PRIMARY EXAMINER

Lars Olson
2/24/05